

# Lessons Learned? Fifth Anniversary of Euromaidan

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[On 26 November 2018, Russia seized three Ukrainian naval ships](#) on their way from the Ukrainian port of Odessa to the Ukrainian port of Mariupol. It happened near the Kerch Strait – a narrow water passage connecting the Black Sea and the Sea of Azov that lies between the Russian-occupied Crimean Peninsula and the Russian mainland. It was another violation of international law by the Russian Federation, another act of hostility in the hybrid war Russia waged against Ukraine after the Euromaidan 2013-14. Then, five years ago, Ukraine not only openly turned towards Europe but demonstrated its readiness to fight for this. It made a desperate attempt to move away from Russia's orbit and overcome the past.

The Euromaidan – which is also called the Revolution of Dignity – changed Ukrainian society: [the Ukraine that emerged from the Euromaidan is fundamentally different from both the Soviet Ukraine of 1922-91 and the first stage of the post-Independence Ukraine of 1991-2013](#). It also brought profound changes for European countries, European security, and geopolitics.

On the fifth anniversary of the Euromaidan, during an escalation of Russia's undeclared war, the first days of martial law in Ukraine, and on the threshold of Ukrainian presidential elections, this post seeks to analyze the main results and lessons of the Revolution of Dignity.

## Euromaidan's Demands

In November 2013, mass protests were triggered by President Yanukovych's abrupt refusal to sign an Agreement of Association with the European Union. The protests received a violent response from the government. On the night of November 30, the *Berkut* riot police attacked protesters, which were mainly young people, by clubbing and beating them. The *Berkut*'s cruelty shocked the country: for the first time in the modern history of Ukraine, the government used force against its people. The acts of violence fueled the level of outrage and increased support for the Euromaidan movement. During the next months, the confrontation between the government and the civil society grew deeper. The Euromaidan turned into the Revolution of Dignity: it was not only about the relationship between Ukraine and the EU any longer, but about the future of Ukraine in general (See the [chronology of events](#)).

The civil uprising demanded human rights and fundamental freedoms and was against the deep corruption of the ruling regime and its oligarchs, who had enriched themselves at the state's expense. It was a fight for liberty, equality, and solidarity. The Revolution of Dignity loudly called for immediate democratic reforms.

Thus, the demands of the Euromaidan were: signing the Association Agreement with the European Union, adherence to civil rights (primarily, freedom of speech, peaceful assembly, fair trial, democratic elections), and clearing the power from corruption.

## **Talking About the Revoultion: ‘Maidan Optimists’ vs. ‘Maidan Pessimists’**

Five years after the Euromaidan, the Ukrainian society is divided in its assessment of this event and its results. There are two opposite narratives in the public opinion. The first one – ‘Maidan optimists’ – reflects beliefs that the Euromaidan has achieved its goals and improved life of the Ukrainians, while the second one – ‘Maidan pessimists’ – emphasizes disappointments and failures. The first narrative explains Ukraine’s current problems solely by external reasons, mainly Russia’s aggression. In doing so, ‘Maidan optimists’ position themselves as Ukrainian patriots and defenders of liberty. Under this narrative, any critique of the Ukrainian government, social protest and disagreement are labeled as a betrayal of the Euromaidan ‘ideals’ and Ukrainian national interests. In this sense, critiques are also seen as a support of Russian propaganda and as attempts to destabilize the situation and undermine Ukraine’s sovereignty.

‘Maidan pessimists’, on the other hand, claim that the Euromaidan was a senseless and messy movement, that sunk the country into chaos, even anarchy. They deny any achievements of the Euromaidan. This narrative has been successfully used by the Kremlin’s propaganda. Moscow with its Soviet instinct to react to public protest with fear and violence was surprised and scared by the Euromaidan. For this reason, Russia’s propaganda enjoys talking about Ukraine’s problems to show that the Ukrainian Revolution failed and brought no changes for the better. Ukraine’s experience of disappointment and defeat moods are used to prove that a struggle for human dignity, democracy, and freedom is less important than stability and a strong state.

Both approaches – ‘Maidan optimism’ and ‘Maidan pessimism’, in their pure form – are equally dangerous: an uncritical and even utopian thinking makes ‘Maidan optimists’ [‘useful idiots in the hands of the Ukrainian government’](#), while the frustration of ‘Maidan pessimists’ turns them in [‘useful idiots in the hands of Moscow’](#).

## **Some Facts and Statistics**

In assessing Euromaidan, it is very important to take a realistic position keeping away from these two extremes. Of all Euromaidan’s demands the only one that was completely fulfilled was that regarding European integration: EU-Ukraine relations have never been as intense as during the last five years, with visa regime liberalization on 11 June 2017 and the EU-Ukraine Association Agreement entering into force on 1 September 2017. The democratic reforms, on the other hand, were not as successful. Rather, here lies the main source of disappointment. Ukraine is still among the countries with widespread corruption. It also qualified as a ‘partly free’

state with a 'transitional government or hybrid regime'. According to [the Corruption Perception Index of Transparency International](#), for instance, Ukraine moved from place 144 in 2013 (with a score of 25 out of 100) to place 130 (with a score of 30) in 2017.

[The Freedom House Report of 2018](#) states that, despite Ukraine's struggle with implementing anticorruption reforms under the strategy approved after the 2014 Revolution of Dignity (the country had established several anticorruption institutions and had set up new mechanisms, including online publications of public-servant asset declarations, and ensuring transparent public procurements), it has had 'little impact on citizens' lives'; public perceptions of corruption remains high ( a majority of 85 percent sees no improvements in this sphere).

As for freedom of speech and freedom of press, Ukrainian media remains under the control of Ukrainian oligarchs. In addition, restrictions to the freedom of speech were recently introduced under the guise of combating Russian propaganda. Nevertheless, according to the Freedom House Report, Ukraine has a better score now than it had in 2013 (4,86 in 2013 against 4,64 in 2018, whereby 1 – is most democratic, and 7 – is least democratic).

## **Maidan's Lesson: Ukrainians will not Tolerate Dictatorship**

The term '*maidan*' entered the political lexicon in 2004. In Ukrainian, '*maidan*' simply means '*a square*'. In November 2004, the Ukrainians went to the streets to protect their right to vote. It was a revolt against the electoral fraud having occurred in the presidential election in favor of the government's candidate Yanukovich, at that time Prime Minister of Ukraine. The protests that came to be known as the Orange Revolution were successful: The results of the original run-off were annulled by the Ukrainian Supreme Court and a new run-off was held (the so-called 'third round voting'). The results of the re-vote showed a clear victory for Yushchenko, a leading opposition candidate (52%), who defeated Yanukovich (44%).

During the Orange Revolution the central square in Kyiv, *Maidan Nezalegnosti* (the Independence Square) was a heart of the nationwide protests. Since then, 'Maidan' became synonymous with mass protests and civil uprising. In 2013-14, the Euromaidan and the Revolution of Dignity further shaped this understanding. In this sense, whatever complications Ukraine has today and will face in the future, the Ukrainian Maidans – the Orange Revolution, the Euromaidan, the Revolution of Dignity – will remain glorious events in the history. *For the Ukrainians Maidan is a symbol of freedom and, at same time, the last resort to protect civil rights, democracy and the rule of law.*

Yanukovich was the one who provoked two Ukrainian *Maidans*. He did not learn the Maidan's lesson in 2004-05 and then failed Maidan's exam in 2013-14. The first time, the constitutional right to vote and fair elections were at stake. The second time, Yanukovich not only deceived European expectations of the Ukrainians but exceeded his power and thereby violated the constitution. According to Article 85(5)

of the Constitution, the Verkhovna Rada of Ukraine, the Parliament, defines the principles of domestic and foreign policy. These principles should be set exclusively by law (Article 92(9)). The Law 'On the principles of domestic and foreign policy of Ukraine' was adopted in July 2010. Article 11(2) of the Law listed European integration and admission to the European Union among the principles and aims of Ukraine's foreign policy. Thus, Yanukovych, as the President of Ukraine, acting on behalf of the state (Article 102 of the Constitution) was obliged to sign the Association Agreement with EU at the Summit in Vilnius. After this, there should have been a procedure of ratification. It could have been ratified by the Parliament or, considering the importance of the Agreement, its historical, strategical and geopolitical meaning for Ukraine, by the referendum. But it has never happened...

It was not Yanukovych's first violation of the Ukrainian Constitution, but the fatal one. Now it's time for Poroshenko to take the Maidan exam.

## Lesson Learned? – Poroshenko and Martial Law

In response to the recent act of aggression in the Black Sea from Russia's side, [Ukraine's government introduced martial law across ten regions on the Russia-Ukraine border, and along the Black Sea coast for 30 days, until 26 December 2018.](#)

In accordance with [the Law of Ukraine 'On the legal regime of martial law'](#), this special legal regime can be implemented throughout Ukraine or in the separate regions in case of armed aggression or threat of attack, the danger for Ukraine's independence or its territorial integrity (Article 1). Martial law gives the government tools to mobilize resources to protect the state in a time of national crisis. On the other hand, the wide range of constitutional rights and freedoms (primarily, freedom of speech, freedom of peaceful assembly, freedom of movement, property rights and so on) can be temporally restricted. However, the main thing is that martial law excludes presidential elections: the Law 'On the legal regime of martial law' explicitly orders that presidential elections can take place only after the termination of martial law (Article 11).

Originally, Poroshenko intended to introduce martial law for 60 days, until the end of January 2019. That would automatically affect presidential election campaigns that should start on 31 December 2018. The prospect of having presidential election postponed was accepted neither by Ukrainian society nor by Ukrainian elites. The time of martial law introduction (just before the beginning of election campaign while there was not one day of martial law during almost five years of the Russian-Ukrainian conflict when Ukraine saw the loss of Crimea and the parts of Donetsk and Lugansk regions), the way martial law was introduced (with a violation of the parliamentary procedures that [resulted in confusion regarding its effective days](#)) prompted sharp criticism of Poroshenko's decision, including [an open statement by three former presidents of Ukraine](#).